

REVIEWED*By Larisha Davis at 12:02 pm, Jun 26, 2007*

CLOSED, PaperDocuments

**U.S. District Court
District of Delaware (Wilmington)
CIVIL DOCKET FOR CASE #: 1:05-cv-00812-SLR
Internal Use Only**

Woods v. Schappelle et al
Assigned to: Honorable Sue L. Robinson
Demand: \$100,000
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 11/25/2005
Date Terminated: 01/19/2007
Jury Demand: None
Nature of Suit: 555 Prisoner: Prison Conditions
Jurisdiction: Federal Question

Plaintiff**Anthony C. Woods**

represented by **Anthony C. Woods**
SBI# 301308
Morris Correctional Community Center
300 Waters Street
Dover, DE 19904
PRO SE





V.


















Defendant














Sue Schappelle
TERMINATED: 12/11/2006

Defendant**Dr. Roberta Burns**

represented by **Kevin J. Connors**
Marshall, Dennehey, Warner, Coleman &
Goggin
1220 N. Market St., Suite 500
P.O. Box 8888
Wilmington, DE 19899
(302) 552-4300
Email: kjconnors@mdwgcg.com
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/25/2005	 1	MOTION for Leave to Proceed in forma pauperis - filed by Anthony C. Woods. (Attachments: # 1 Financial Statement)(mwm,) (Entered: 11/29/2005)
11/25/2005	 2	COMPLAINT filed pursuant to 42:1983 against Sue Schappelle, Roberta Burns - filed by Anthony C. Woods.(mwm,) (Entered: 11/29/2005)
12/07/2005		Case assigned to Judge Sue L. Robinson. Please include the initials of the Judge (SLR) after the case number on all documents filed. (rjb,) (Entered: 12/07/2005)
12/13/2005	 3	ORDER granting Motion to Proceed IFP. Filing Fee of \$250.00 Assessed. Plaintiff has no assets to pay initial filing fee and any money plaintiff later receives will be collected in the manner described in order. Plaintiff shall return the attached payment authorization within 30 days. Failure to return payment authorization shall result in dismissal of action without prejudice. (Copy to pltf. with Mag. Consent Form) Notice of Compliance deadline set for 1/12/2006.. Signed by Judge Sue L. Robinson on 12/13/05. (Attachments: # 1 Authorization Form)(fmt,) (Entered: 12/13/2005)

12/19/2005	 4	Authorization by Anthony C. Woods requesting Prison Business Office to disburse payments to the Clerk of the Court. (copy of assessment order and authorization to Prison Business Office) (fmt,) (Entered: 12/20/2005)
02/03/2006	 5	ORDER, plaintiff shall return to Clerk original USM 285 form for the Attorney General of the State of Delaware. Upon receipt, the U.S. Marshal shall serve process as directed by plaintiff. (Copy to pltf.). Signed by Judge Sue L. Robinson on 2/2/06. (fmt,) (Entered: 02/03/2006)
02/10/2006	 6	Letter to Clerk from A. Woods enclosing corrected USM-285 form for AG. (rld,) (Entered: 02/15/2006)
02/14/2006	 7	Letter to A. Woods from Clerk, USDC-DE regarding all USM-285 forms have been received and case is now ready for service. (rld,) (Entered: 02/15/2006)
02/15/2006		Remark: EXIT to U.S. Marshal service packets for defts. S. Schappell, Dr. Burns and the AG for the State of DE including copies of D.I. 2, 3,4 and 5 on 2/15/06 for service. (rld,) (Entered: 02/15/2006)
02/28/2006		(Court only) ***Set Paper Documents Flag (rbe,) (Entered: 02/28/2006)
03/13/2006	 8	WAIVER OF SERVICE with 285 form returned executed For Roberta Burns waiver sent on 3/1/2006, answer due 5/1/2006. (fmt,) (Entered: 03/13/2006)
03/21/2006	 9	USM 285 Returned Executed as to Carl C. Danburg; served on 3/20/06 (fmt,) (Entered: 03/21/2006)
04/28/2006	 10	NOTICE of Appearance by Kevin J. Connors on behalf of Roberta Burns (Connors, Kevin) Additional attachment(s) added on 5/1/2006 (fmt,). (Entered: 04/28/2006)
04/28/2006	 11	MOTION for Extension of Time to File Answer - filed by Roberta Burns. (Attachments: # 1 Text of Proposed Order # 2 Statement of Rule 7.1.1)(Connors, Kevin) (Entered: 04/28/2006)
05/01/2006		SO ORDERED, re 11 MOTION for Extension of Time to File Answer filed by Roberta Burns., Set/Reset Answer Deadlines: Roberta Burns answer due 5/31/2006. Signed by Judge Sue L. Robinson on 5/1/06. (rld,) (Entered: 05/01/2006)
05/01/2006		CORRECTING ENTRY: The initial attachment to D.I. 10 was incorrect; the incorrect attachment has been deleted and the proper one is now attached (fmt,) (Entered: 05/01/2006)
05/02/2006	 12	USM 285 Returned Unexecuted as to Sue Schappelle. No longer at DOC- CMS will not accept for individuals; return unexecuted (fmt,) (Entered: 05/02/2006)
05/26/2006	 13	ORDER; on or before 6/9/06 Correctional Medical Services shall provide to the court the last known address for Sue Schappelle, or in the alternative, if Sue Schappelle is still employed by Correctional Medical Services, the correctional facility where she is now located, so that she may be served; Correctional Medical Services is put on notice that failure to comply with this order may result in a finding of contempt; see order for further details . Signed by Judge Sue L. Robinson on 5/24/06. (fmt,) (Entered: 05/26/2006)
05/26/2006	 14	Postal Receipt(s) for the mailing of D.I. 13 to Correctional Medical Services, 126470 Olive Boulevard, St. Louis, MO 63141 (fmt,) (Entered: 05/30/2006)
05/30/2006	 15	MOTION to Dismiss Based upon To Dismiss Plaintiff's Complaint - filed by Roberta Burns. (Attachments: # 1 Text of Proposed Order Order for Motion to Dismiss# 2 Exhibit Exhibits 1, 2 & 3# 3 Certificate of Service to Mtn. to Dismiss)(Connors, Kevin) (Entered: 05/30/2006)
05/30/2006	 16 	SEALED EXHIBIT 4 to the Motion to Dismiss Based upon To Dismiss Plaintiff's Complaint D.I. 15 - filed by Roberta Burns. (Attachments: # 1 Exhibit Exhibit 4 to

		Motion to Dismiss# (Connors, Kevin) Modified on 5/30/2006 (fmt,). Modified on 5/30/2006 (fmt,). (Entered: 05/30/2006)
05/30/2006		(Court only) ***Motions terminated: 16 SEALED MOTION to Dismiss Based upon To Dismiss Plaintiff's Complaint filed by Roberta Burns,. SEALED Exhibit 4 was incorrectly docketed as a motion. The motion has been terminated. D.I. 15 is the motion (fmt,) (Entered: 05/30/2006)
05/30/2006		CORRECTING ENTRY: D.I. 16 has been corrected to reflect that it is the SEALED Exhibit 4 to D.I. 15; D.I. 16 is not another motion to dismiss; D.I. 16 has been terminated as a motion; Counsel should either file the entire document under seal with a redacted version filed within 5 business days or SEALED items should be docketed separately, using the proper code and linked to the proper docket item (fmt,) (Entered: 05/30/2006)
06/05/2006	 17	ACKNOWLEDGEMENT OF SERVICE Executed as to 13 Order by Correctional Medical Services, St. Louis, MO; date of delivery: 5/31/06 (fmt,) (Entered: 06/05/2006)
06/09/2006	 18	Letter to Clerk of Court from Kevin J. Connors, Esq. regarding Schappelle address. (Connors, Kevin) (Entered: 06/09/2006)
07/13/2006		Remark: Address updated per return address on mail received from plaintiff Woods on 7/13/06, to read: Central Violation Center, P.O. Box 5003, Smyrna, DE 19977-5003. (rbe,) (Entered: 07/13/2006)
07/13/2006	 19	NOTICE of Change of Address by Anthony C. Woods. (fmt,) (Entered: 07/14/2006)
07/25/2006	 20	ORDER setting briefing schedule re pending motion to dismiss: Answering Brief due 8/25/2006.Reply Brief due 9/11/2006. Signed by Judge Sue L. Robinson on 7/25/06. (rld,) (Entered: 07/25/2006)
08/04/2006	 21	MOTION to Appoint Counsel - filed by Anthony C. Woods. (fmt,) (Entered: 08/07/2006)
08/30/2006	 22	ORDER; the pltf. shall submit within 30 days from the date of this order, a new USM-285 form for deft. Sue Schappelle with the address provided by CMS, and one copy of the complaint(D.I. 2) for service upon Sue Schappelle. Failure to provide the U.S. Marshal 285 form for Sue Schappelle within 30 days from the date of this order may result in Sue Schappelle being dismissed. Signed by Judge Sue L. Robinson on 8/29/06. (fmt,) (Entered: 08/30/2006)
09/12/2006		CORRECTING ENTRY: Motion for Appointment of Counsel docketed on 9/12/06, filed on 9/11/06, has been deleted from the docket. The Motion received on 9/11/06 is a copy of D.I. 21. The copy of D.I. 21 received on 9/11/06 has been placed in the case file. (fmt,) Modified on 9/12/2006 (fmt,). (Entered: 09/12/2006)
10/27/2006		(Court only) ***Staff notes: Prison Office at Morris Correctional called to advise that Inmate Anthony C. Woods has transferred to their facility. I asked that they inform him that he must notify the Court in writing regarding his change of address. (rbe,) (Entered: 10/27/2006)
12/11/2006	 23	ORDER deft. Sue Schappelle is dismissed without prejudice as pltf. has failed to provide the required USM-285 form for this deft. Sue Schappelle terminated. Signed by Judge Sue L. Robinson on 12/8/06. (rld) (Entered: 12/11/2006)
12/13/2006	 24	NOTICE of Change of Address (Morris Correctional Community Center) by Anthony C. Woods (fmt) (Entered: 12/14/2006)
12/14/2006		Remark: Plaintiff's address updated per letter DI# 24. (els) (Entered: 12/14/2006)
01/16/2007	 25	MEMORANDUM OPINION. Signed by Judge Sue L. Robinson on 1/12/07. (rld) (Entered: 01/16/2007)